

**Remarks**

Claims 57, 59-73, 75-77, 105 and 107-110 are pending in this application. Claims 1-56 were previously canceled without prejudice or disclaimer. Claims have been withdrawn as being directed to non-elected subject matter. Claims 58, 74, 78-104, 106 and 111 have been cancelled without prejudice or disclaimer. Claims 57, 77 and 105 have been amended.

Claims 57, 77 and 105 have been amended, and claims 58, 74, 78-104, 106 and 111 have been cancelled, for the sole reason of advancing prosecution. Applicants by amending or canceling any claims, make no admission as to the validity of any rejection made by the Examiner against any of these claims. Applicants reserve the right to reassert any of the claims canceled herein or the original claim scope of any claim amended herein, in a continuing application.

Claim 57 has been amended to recite the subject matter of cancelled claim 111. Specifically, claim 57 now recites that X is "selected from the group consisting of a halogen atom, borate, ethylene chlorophosphite, methyl phosphodichloridite, chloro-N,N-diisopropylaminomethoxophosphite, and  $[(\text{isopropyl})_2\text{N}]_2\text{POCH}_2\text{CH}_2\text{CN}$ , wherein X is optionally substituted with a group selected from the group consisting of an alcohol, an ether, a polyether and a sugar moiety, wherein the alcohol contains an aliphatic moiety selected from the group consisting of an aliphatic chain, an amino aliphatic chain, a heteroatom comprising an aliphatic chain, an aliphatic chain comprising a cyclic ring which ring may be saturated or partially saturated and an aryl group, the aliphatic chain may be a branched or straight, saturated or unsaturated chain." Support

this amendment can be found throughout the specification and claims as originally filed.

In addition, each of claims 57, 77 and 105 have been amended to correct minor typographical errors. Specifically, "R<sub>5</sub>" has been replaced with the "R<sup>5</sup>," where necessary. Support this amendment can be found throughout the specification and claims as originally filed.

No new matter has been added

In view of the remarks set forth herein, further and favorable consideration is respectfully requested.

***I. Interview Summary***

Applicants thank the Examiner for telephone interview held on October 15, 2009 with Applicants' undersigned representative. During the interview, Examiner Nwaonicha indicated that the application would be allowed if claim 57 was amended to incorporate the subject matter of claim 111.

***II. Allowable Subject Matter***

Applicants respectfully submit that all of the presently pending claims are now allowable. Solely in order to expedite grant of the pending subject matter, as requested by the Examiner, Applicants have amended the subject matter of claim 57 to recite the subject matter of cancelled claim 111. Accordingly, Applicants submits that the application is in condition for immediate allowance. Early notice to that effect is earnestly solicited.

**Conclusion**

In view of the foregoing, Applicants submit that the application is in condition for immediate allowance. Early notice to that effect is earnestly solicited. The Examiner is invited to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

**THE NATH LAW GROUP**



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